

SLOT MACHINES WILL HAVE TO GO

THE SUPREME COURT SAYS THEY ARE GAMBLING DEVICES, AND THEREFORE ILLEGAL.

THE DECISION OF JUDGE MASON IS UPHELD, AND HE IS RECEIVING MANY CONGRATULATIONS.

WHEELING, W. Va., June 10.—In the Supreme Court of Appeals yesterday morning Judge McWhorter delivered the opinion in the case of the State against Frank Gaughan, from Harrison county, known as the "slot machine" case, and this being the first decision by the Supreme Court on this question, the case will prove of unusual interest throughout the entire State.

The court holds that upon the trial of an indictment under section 1, chapter 151 of the Code, for unlawfully keeping and exhibiting a gambling device commonly called a slot machine, it is not an error to instruct the jury that "if the jury shall believe from the evidence, beyond a reasonable doubt, that the slot machine described in the indictment is a gaming table, and that the said machine is so constructed that it offers unequal chances to the player and exhibitor, and that the unequal chances are in favor of the exhibitor of said machine, that the said slot machine is a gaming table of like kind and character to A. B. C., O. E. table, faro table and keno table."

Gaughan was indicted in the Circuit Court of Harrison county, and Judge Mason, of the Second circuit gave the instructions quoted in Judge McWhorter's opinion, which instructions are fully sustained by the appellate court, Gaughan having brought the case to this court on writ of error.

Conflicting Decisions. There has recently been conflicting decisions by both circuit and criminal judges on this question. Judge Doolittle, of the Cabell circuit holding that the machines are not included in the gambling devices mentioned in said section, while Judge D. E. Mathews, of the Criminal Court of that county, held that they are.

Special Judge Gordon Mathews, of Kanawha county held like Judge Mason that they come under this section, his decision having been rendered prior to that of Judge Mason in the Gaughan case.

The affirming by the Supreme Court of Judge Mason's decision puts a stop to the slot machine business in this State so far as it is legally concerned.

The decision of course affects all of the slot machines in which there are unequal chances and favoring the exhibitor and is applicable to the cigar machines if they are within the words of the statute, so far as the unequal chances cut any figure.

Interest in the decision will prove very great in every quarter of the State and it is expected that thousands of dollars' worth of machines will be knocked out. They have long held sway and have netted to the syndicates backing them a mint of money. None except the owners will seriously mourn their departure.

Vale the slot machine!

SHARKEY PICKS MUNROE

Says Miner Ought to Score Knockout in Coming Fight With Champion.

NEW YORK, June 9.—Tom Sharkey says Jack Munroe will beat Jim Jeffries when the two ring gladiators fight for the world's championship.

"Jeffries has been having easy game," said Sharkey. "In Munroe he will tackle a tough proposition. If Munroe rushes Jeffries he will win sure, and he ought to score a knockout. He has the punch to do it, and Jeffries is not any too clever to keep him away."

PILES! PILES! PILES!

Dr. Williams' Indian Pile Ointment will cure Blind, Bleeding, Ulcerated and Itching Piles. It absorbs the tumors, allays the itching at once, acts as a poultice, gives instant relief. Dr. Williams' Indian Pile Ointment is prepared only for Piles and Itching of the private parts, and nothing else. Every box is guaranteed. Sold by druggists, sent by mail, for 50c. and \$1.00 per box. WILLIAMS' MFG. CO., Prop'r, Cleveland, Ohio.

If you are in need of a bicycle we carry a complete line from \$20 to \$40. Hall's Hardware Store.

of the latest telegraphic and will be found in the West

centrally located for

A UNIQUE COMPLIMENT

At the Judicial convention held in Morgantown, June 8th, 1904, after Judge John W. Mason had been unanimously nominated to succeed himself, in his speech accepting the nomination, which was full of feeling and greatly moved the audience, he said he would accept the great honor and if elected assume the grave duties and high responsibilities upon the condition that he should have the same generous and loyal support of the bar, and be accorded by the people of the circuit the same support and confidence which had been so kindly and unanimously extended to him in the past. At the conclusion of his address and after the applause had subsided, the chairman of the Convention addressing the audience, composed of Democrats and Republicans, lawyers and laymen, and the delegates, suggested that all who approved the sentiments expressed by the Judge and would give to him, if elected, the support and confidence which he made a condition of his acceptance, should give such assurance by a rising vote. Instantly every voter, layman and lawyer, Democrat and Republican, as well as the delegates, was on his feet. Not one remained seated. In the audience were many Democrats of prominence, including ex-Governor Fleming, Prof. W. P. Willey, and others who were glad to express by this vote their high appreciation of Judge Mason as a jurist and citizen. The expression was spontaneous and unanimous, as well as a happy and unique thought of the chairman, and touched and moved the Judge deeply.

It is believed the Democrats will make no nomination in opposition, being well pleased to have so able, experienced and upright a Judge to preside in this circuit.—Morgantown Post.

LOST IN THE MOUNTAINS

Child Wandered Away For Forty-Eight Hours With Two Dogs.

OCEANA, W. Va., June 9.—After wandering about in the woods on the mountains near Laurel Fork, this county, for almost fifty hours, little Howard Brown, son of a well known resident of the county, has been found and returned to his distracted parents. He left home a couple of days ago with two dogs as companions and wandered in the woods two nights and almost two days without anything to eat. The first night he traveled about and the second, he slept on some leaves under a cliff. He was almost starved when found. In speaking of his experiences in the woods he said he was not frightened as long as the dogs were with him and that he did not meet with any wild animals. The little fellow's hands and feet and legs were badly lacerated from coming into contact with thorns and in tramping over the rocky side of the mountain.

Stones Versus Revolver.

HUNTINGTON, W. Va., June 9.—A battle between a 48-calibre revolver on one hand and plenty of good old fashioned rocks on the other, was fought in the southern part of the county yesterday and the rocks came out winner.

John Shelton, who resides on Bowen creek, became involved in an altercation with Arnold Adkins, over a grudge of long standing between the two families.

The quarrel resulted in a fierce fight in which weapons were quickly brought into play. Shelton drew a 48-calibre revolver from his hip pocket and opened fire upon the enemy.

Adkins had no such heavy artillery, but he was nothing daunted and replied to the fire of the revolver with a fierce volley of rocks that lay plentiful about the scene of trouble.

Shelton fired five shots, but his aim was bad, and his opponent was not wounded. Adkins' volley of rocks was more accurately directed. He succeeded in landing a stone about the size of a goose egg with terrific force upon Shelton's hip.

The bone was dislocated by the force of the blow, and Shelton was left on the field of combat in a helpless condition.

Hot plates, oil stoves, ice cream freezers, garden hose, lawn sprinklers, water coolers, screen doors and windows, are some of the summer necessities to be found at J. L. Hall's Hardware Store.

BALTIMORE & OHIO RAILROAD

To the World's Fair, Very Low Rates.

Various forms of excursion tickets to St. Louis via Baltimore & Ohio Railroad, now on sale from Fairmont as follows:

Season tickets, good to return until December 15, 1904, to be sold daily at rate of \$26.80, round trip.

Sixty day excursion tickets, final limit not later than December 15, 1904, to be sold daily at rate of \$22.35, round trip.

Fifteen day excursion tickets, to be sold daily at rate of \$18.75, round trip.

Ten day special coach excursion tickets on sale Every Tuesday in June, good going in day coaches only, on special coach trains, or in coaches on designated trains, limited for return passage leaving St. Louis not later than ten days, including date of sale, at rate of \$13.00, round trip.

Variable route excursion tickets, either season or sixty day, will be sold going via one direct route and returning via another direct route, full information concerning which can be obtained from ticket agent.

Stop-overs, not exceeding ten days at each point will be allowed at Washington, Deer Park, Mountain Lake Park, Oakland and Mitchell, Ind., (for French Lick and West Baden Springs) within return limit, upon notice to conductor and deposit of ticket with depot ticket agent immediately upon arrival.

Stop-overs not exceeding ten days will be allowed at St. Louis on all one-way (except Colonists' tickets to the Pacific Coast) and round trip tickets reading to points beyond St. Louis, upon deposit of ticket with Validating Agent and payment of fee of \$1.00.

Three solid vestibuled trains are run daily from New York, Philadelphia, Baltimore and Washington, via Parkersburg and Cincinnati to St. Louis.

Three solid vestibuled trains are run daily from Pittsburgh, Wheeling and Columbus via Cincinnati, to St. Louis.

Magnificent coaches, sleeping cars, observation cars and unexcelled dining car service.

For illustrated folder, time table and full information, call at ticket office, Baltimore & Ohio Railroad.

THE CZAR

REMEMBERS THE NEW YORK STOCK EXCHANGE—HE HAS SENT A SOLID SILVER GIFT AS A TOKEN OF ESTEEM.

NEW YORK, June 10.—The Czar of Russia has sent to the New York Exchange a magnificent solid silver gift as token of his appreciation of the courtesy of the Exchange in listing the recent Russian war loan.

A considerable part of the loan securities was floated in this country through the action of the Stock Exchange. The gift has already reached the city. Its exact form has not yet been disclosed. It is said to be embellished with beautiful workmanship.

Nicholas De Lodyginsky, the Imperial Russian Consul General said this morning: "I cannot tell you until the gift is unveiled, its precise design. I will arrange to-day with the chairman of the Stock Exchange the date of the presentation, which will not take place, I think, before next Monday."

BALTIMORE & OHIO RAILROAD

Very Low Rate Sunday Excursion Tickets On Sale May 15.

Effective May 15 and continuing every Sunday thereafter until further notice, the Baltimore & Ohio Railroad will place on sale excursion tickets between stations of Wheeling and Grafton, good going East bound on regular train No. 72, leaving Fairmont at 10:52 A. M., and returning on regular trains No. 71-55, leaving Grafton 12:40 noon, and 6:50 P. M.; and good going West bound on regular train No. 5, leaving Fairmont at 7:47 A. M., and returning on regular train No. 4, leaving Wheeling at 5:00 P. M. For tickets and full information, call on ticket agent.

T. B. HENDERSON.

MARYLAND STATE FIREMEN'S

Convention, Cumberland, Md., June 8-10—Very Low Rates via Baltimore & Ohio Railroad.

Tickets on sale June 6th to 10th, good returning until June 12th, 1904, inclusive.

Call on ticket agent for full information. T. B. HENDERSON.

ANNOUNCEMENTS

Of Reduced Fares Authorized via Baltimore and Ohio Railroad, Summer Season, 1904.

Atlantic City and Seashore. Special low rate excursions from all points east of the Ohio river on June 30th, July 14th and 28th, August 11th and 25th, and September 8th.

Atlantic City, N. J. American Academy of Medicine (June 4-6) and American Medical Association (June 7-10). Very low rates. Tickets on sale June 2d and 6th, inclusive, good returning June 4th to 13th, inclusive.

Atlantic City, N. J. Imperial Council, Ancient Order of Mystic Shrine, July 13-15. Very low rates. Tickets on sale July 11th and 12th, good returning until July 23d, inclusive.

Boston, Mass. National Encampment, G. A. R., August 15-20. One fare for the round trip. Tickets on sale August 13th to 15th, good returning until August 20th, inclusive.

Cincinnati, O. Grand Lodge, B. P. O. Elks, July 15-23. One fare plus \$1.00 for the round trip. Tickets on sale July 15th, 16th, 17th, good returning until July 23d, inclusive.

Detroit, Mich. Baptist Young People's Union of America, International Convention, July 7-10. One fare plus \$2.00 for the round trip. Tickets on sale July 5th to 7th, good returning until July 12th, inclusive.

Indianapolis, Ind. National Prohibition Convention, June 23-30. One fare for the round trip. Tickets on sale June 20th to 27th, good returning until July 10th, inclusive.

Louisville, Ky. Knights of Pythias, Biennial Encampment, August 16-19. One fare plus \$1.00 for the round trip. Tickets on sale August 12th, 13th, 14th and 15th, good returning until August 31st, inclusive.

San Francisco, Cal. Triennial Conclave, Knights Templar, September 5-9. One fare for the round trip to Chicago or St. Louis added to fares tendered therefrom (Chicago \$50.00; St. Louis \$47.50). Dates of sale to be announced later.

San Francisco, Cal. Sovereign Grand Lodge, I. O. O. F., September 19-25. One fare for the round trip to Chicago or St. Louis added to fares tendered therefrom (Chicago \$50.00; St. Louis \$47.50). Dates of sale to be announced later.

Toronto, Ont. Friends' General Conference, August 10-19. One fare plus \$2.00 for the round trip. Tickets on sale August 9th to 11th, good returning until August 31st, inclusive.

For additional information concerning rates, routes, time of trains, etc., call on or address ticket agents, Baltimore & Ohio R. R.

NOTICE

If you see a nice looking couple driving around with a good stylish horse, elegant harness, nobby run-a-bout, carriage or trap, with nice clean robes, and everything to match, you can wager ten to one it was hired from the Jackson Livery Barn, as we put out only that kind. FRED S. JACKSON, Manager. Open day and night.

HOTEL "BELLEVUE"

FACING BEAUTIFUL OHIO RIVER. Between both Depots, and best location in City.

Everything about the house first-class. Rates \$1.50 and \$2.00. Baths and Bar Attacher to Hotel.

1208 to 1214 Water Street, WHEELING, W. Va.

"You Can't Beat Us Unless You Cheat."

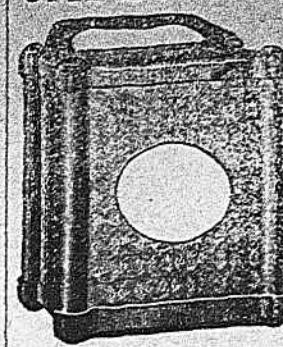
SKINNER'S TAVERN

At the Depot.

The largest and handsomest Sample rooms in the Country located in the new \$200,000. Court House.

B. G. WILLIAMS, Prop. Fairmont, W. Va.

SAFES LOANED TO DEPOSITORS.



One dollar opens a Savings account.

We loan you the safe. We keep the key.

Savings accounts draw four per cent. interest, same being compounded semi-annually.

Call and get a safe. It will help you save.

HOME SAVINGS BANK.

DO YOU NEED MONEY

If you do, SEE
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THE MAN
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Sterling Silver!

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Sterling
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Suitable for
Wedding and Anniversary
Presents.

RIHELDAPPER & BROWNFIELD.

BALTIMORE & OHIO RAILROAD.

PASSENGER trains will arrive at and depart from Fairmont on the following schedule on and after May 22d, 1904.

MONONGAH DIVISION.

No. 5.—Arrives at Fairmont 5:35 P. M.
No. 1.—Arrives at Fairmont 12:10 P. M.
No. 3.—Arrives at Fairmont 7:45 A. M.
No. 2.—Leaves Fairmont... 7:10 A. M.
No. 6.—Leaves Fairmont... 1:53 P. M.
No. 4.—Leaves Fairmont... 9:55 P. M.

All trains are daily except Nos. 3 and 4 on the F., M. and P. branch, which are daily except Sunday.

For sleeping car reservations and information concerning tickets and rates, consult

T. B. HENDERSON, Ticket Agent.

WEST BOUND.
No. 7.—Chicago Express. 4:24 A. M.
No. 5.—Wheeling Accommodation... 7:47 A. M.

No. 55.—Wheeling & Cincinnati Express. 7:29 P. M.
No. 71.—Wheeling Accommodation... 1:36 P. M.

EAST BOUND.
No. 8.—New York, Baltimore and Washington Express. 3:25 A. M.

No. 72.—Grafton Accom'n 10:53 A. M.
No. 46.—New York, Baltimore and Washington Express. 1:48 P. M.

No. 4.—Grafton Accom'n 8:38 P. M.

F. M. AND P. BRANCH.

ARRIVES.
No. 50.—Pittsburg Accom'n 1:00 P. M.
No. 4.—Pittsburg Accom'n 9:55 P. M.

DEPARTS.
No. 3.—Pittsburg Accom'n 7:50 A. M.

No. 51.—Connellsville Accom'n 2:10 P. M.
No. 60 leaves daily for Morgantown at 9:05 P. M. No. 62 arrives from Morgantown at 6:55 A. M., daily except Sunday; at 8:00 A. M. Sunday only.

I have a good saloon that will be sold quick at a bargain. H. H. Latham.

Some nice lots on Hamilton Hill for sale, at a good bargain. H. H. Latham.

The Bank of Fairmont, FAIRMONT, W. VA.

J. E. WATSON, President.
J. S. HAYDEN, Vice President.
WALTON MILLER, Cashier.
Capital, \$150,000.00.
Undivided Profits, \$160,000.00

DIRECTORS:
A. B. Fleming, J. S. Hayden,
J. E. Watson,
M. L. Hutchinson, F. E. Nichols,
O. S. McKinney, C. E. Manley.

Transacts a general banking business. Accounts of corporations, firms and individuals received upon the most favorable terms consistent with sound and conservative banking. Interest paid on time deposits. Separate vault with safety deposit boxes for use of customers.

The First National Bank of Fairmont, W. Va.

Capital Stock, - \$100,000.00
Surplus and Undivided Profits, - 165,000.00

Designated Depository of the United States and State of West Virginia.

J. M. HARTLEY, President.
Hon. A. B. FLEMING, Vice President.
JOS. E. SANDS, Cashier.

DIRECTORS:
J. M. Hartley, Hon. A. B. Fleming,
Benj. D. Fleming, Wm. E. Watson,
Jos. E. Sands.

Chartered as State Bank in 1851. Organized as National Bank in 1865. Rechartered as National Bank in 1885. Wants business based on balances and responsibility. Collects on all points. Sells domestic and foreign exchange. Pays interest on special deposits. Customers' private boxes taken care of in our fire and burglar proof vault free of charge.

Citizens' Dollar Savings Bank, FAIRMONT, W. VA.

Opened for business Groundhog Day—February 2d, 1903.

CAPITAL STOCK - \$100,000.00.

OFFICERS:
A. L. LEHMAN, J. A. CLARK, President. Vice President.
J. R. LINN, Cashier

DIRECTORS:
A. L. Lehman, J. A. Clark,
J. P. Hart, J. F. Cook,
L. C. Powell, C. W. Swisher,
W. H. Nicholson, Jr.

Does a general banking business.

4 Per Cent. Interest Paid on Savings Deposits. It's What You Save. Not What You Earn. That Makes Wealth.

The People's Bank of Fairmont, W. Va.

CAPITAL STOCK, \$200,000.00.

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George DeBolt.....Cashier
J. M. Brownfield.....Assistant Cashier

Directors—G. M. Jacobs, S. L. Watson, J. M. Hartley, Harry Shaw, W. S. Haymond and C. E. Hutchinson.

All business entrusted to us will receive prompt and careful attention.

SOLICIT YOUR ACCOUNTS. Interest paid on time deposits. Vault is free to customers for private boxes and papers.

NEW CENTRAL HOTEL,

CORNER
Porter Alley and Monroe Street,
C. V. ABBOTT, Proprietor.

Rooms have been remodeled and thoroughly renovated.

Rooms with bath.
First class bar attached.

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Go To
THE PALACE STUDIO
Gunningham Block.